

# United States Department of the Interior Bureau of Land Management

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**Categorical Exclusion Not Established By Statute  
DOI-BLM-UT-W010-2016-0002-CX  
January 2016**

## **Boat Ramp Access Road to Utah Lake**

*Location:* Township 7 South, Range 1 West, SLM, Section 13; Portions of Lots 11 and 12, Section 24; Portions of Lot 1, Utah County, Utah

*Applicant/Address:* Utah County, 100 East Center Street, Suite 2200, Provo, Utah 84606.

**Salt Lake Field Office  
2370 South 2300 Decker Lake Blvd  
West Valley City, Utah 84119  
Telephone: 801-977-4300  
Fax: 801-977-4397**

Salt Lake Field Office



## **CATEGORICAL EXCLUSION**

### **A. Background**

Office: Salt Lake Field Office

Lease/Serial/Case File No: UTU-91092

Proposed Action Title: Boat Ramp Access Road to Utah Lake

Location of Proposed Action: Township 7 South, Range 1 West, SLM, Section 13; Portions of Lots 11 and 12, Section 24; Portions of Lot 1, Utah County, Utah (Map, Attachment 1). The existing road exits Highway 68 at mile post 19 and runs south east across public land to the Knolls and eventually across private land to the shore of Utah Lake.

Description of Proposed Action: Utah County has applied for a ROW UTU-91092 to improve and maintain an existing access road into The Knolls area on the west side of Utah Lake. The existing road has been in place for at least 30 years and at one time road base material was placed on the road to improve it. Since then there has been little or no maintenance of this road, it has washed through in a couple of places making ease of access into this area subpar. Utah County and the Utah Division of Wildlife Resources are interested in providing all-weather access into this area for the recreating public who frequent the Knolls area and the shore of Utah Lake. Their plan is to have a decent road into this area for legitimate recreational use and to help eliminate trespass activities on adjacent private land. The ROW for the road would be approximately 50 feet wide by 1875 feet long, and encumbers approximately 2.23 acres of public land. Road improvements would include adding additional base material to the road and adding culverts or other water control features to the existing footprint of the road.

### **B. Land Use Plan Conformance**

The proposed action is in conformance with the Record of Decision (ROD) for the Pony Express Resource Management Plan (RMP) (January 1990), as amended, even though it is not specifically provided for, because it is consistent with the following RMP decisions and objectives:

Transportation and Utility Corridors Decision 1 on page 56 of the plan and reads as follows: "Future proposals for major rights-of-way such as pipelines, large power lines and permanent improved roads must utilize identified corridors as shown in Figure 10. Otherwise, a planning amendment and appropriate environmental analysis will be required. Proposals that are not considered major may be sited outside corridors after demonstrating that locating within a corridor is not viable. In all cases, the utilization of rights-of-way in common shall be considered whenever possible."

### **C. Compliance with NEPA**

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 43 CFR 46.215, Realty E 16 - Acquisition of easements for an existing road or issuance of leases, permits, or

rights-of-way for the use of existing facilities, improvements, or sites for the same or similar purposes.

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed by an interdisciplinary team (Attachment 2, Categorical Exclusion Review Record), and none of the extraordinary circumstances described in 43 CFR Part 46.215 apply (Attachment 3, Extraordinary Circumstance to Categorical Exclusions).

**D: Signature**

<i>/S/ Rebecca Hotze</i>	<i>1/14/2016</i>
Salt Lake Field Office Manager	Date

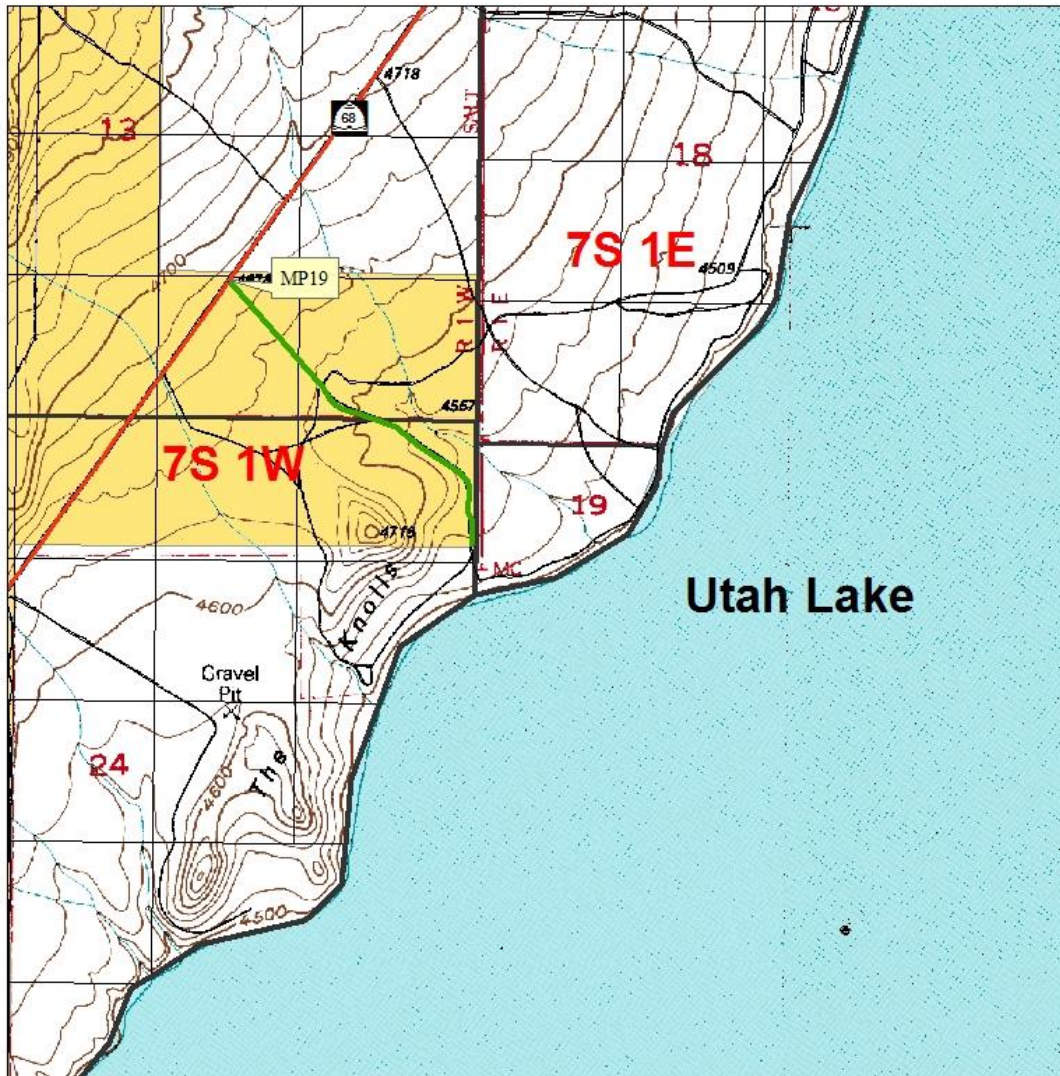
For additional information concerning this CX review, contact: Dave Watson, Realty Specialist, Salt Lake Field Office, 2370 South Decker Lake Blvd., West Valley City, UT 84119; telephone at 801-977-4368; or by email [dswatson@blm.gov](mailto:dswatson@blm.gov).

**Attachments**

1. Map
2. Categorical Exclusion Review Record
3. Extraordinary Circumstance to Categorical Exclusions

## **Attachment 1, Map**

# UTAH LAKE ACCESS ROAD ROW UTU-91092

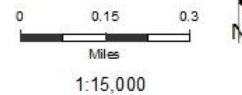
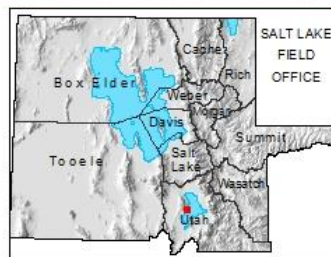


## Legend

Utah Lake Access Road

### Land Status

- BLM
- Private
- State



1:15,000

January 12, 2016

No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data.



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## Attachment 2, Categorical Exclusion Review Record

Resource	Yes*/No	Assigned Specialist	Date
Air Quality	No	Pamela Schuller	12/11/15
Areas of Critical Environmental Concern	No	Pamela Schuller	12/11/15
Cultural Resources	No	Glenn Stelter	12/11/15
Environmental Justice	No	Pamela Schuller	12/11/15
Farm Lands (prime or unique)	No	Pamela Schuller	12/11/15
Floodplains	No	Cassie Mellon	12/3/15
Invasive Species/Noxious Weeds	No	Pamela Schuller	12/11/15
Migratory Birds	No	Masako Wright	12/14/15
Native American Religious Concerns	No	Pamela Schuller	1/4/16
Threatened, Endangered, or Candidate Species	No	Cassie Mellon	12/3/15
Wastes (hazardous or solid)	No	Pamela Schuller	12/11/15
Water Resource/Quality (drinking or ground)	No	Cassie Mellon	12/3/15
Wetlands / Riparian Zones	No	Cassie Mellon	12/3/15
Wild and Scenic Rivers	No	Pamela Schuller	12/11/15
Wilderness	No	Pamela Schuller	12/11/15
Other:	No	Pamela Schuller	1/4/16

\*Extraordinary Circumstances apply.

<i>/S/ Pamela Schuler</i>	<i>1/11/2016</i>
Environmental Coordinator	Date

### Attachment 3, Extraordinary Circumstance to Categorical Exclusions

#### Exceptions to Categorical Exclusion Documentation

The action has been reviewed to determine if any of the extraordinary circumstances (43 CFR 46.215) apply. The project would:

Extraordinary Circumstances		
1. Have significant impacts on public health or safety.		
Yes	No ✓	<b>Rationale:</b> This existing road has been used by the public for about 30 years for a variety of recreational uses. The condition of the road has deteriorated over the years of use making it a subpar access into this area. Granting Utah County a ROW would improve the condition of the road and ingress and egress from Highway 68 making this road much safer to use. Construction activity notifications would be put up for alerting traffic traveling north and south on SR 68.
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.		
Yes	No ✓	<b>Rationale:</b> The project has been reviewed by the appropriate specialists (Attachment 2). There are no ACECs, WSAs, designated wilderness areas, wild and scenic rivers, monuments or other areas with special designations in the project area. There are no floodplains, wetlands, or unique geologic characteristics or any other ecological significant or critical areas.
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].		
Yes	No ✓	<b>Rationale:</b> Granting of this ROW to Utah County and subsequent improvement and maintenance of this road is not anticipated to have controversial environmental impacts or involve unresolved conflicts over the alternative uses of available resources. This project was posted to the NEPA Register on January 5, 2015. Concerns or comments from the public were not brought to the SLFO's attention.
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		
Yes	No ✓	<b>Rationale:</b> Improvement and continued maintenance of this existing road would be similar to other access roads in the Lake Mountains area. Use of the road would continue to be for recreational uses of the public land and Utah Lake and would not result in any highly uncertain or potentially significant environmental effects or unique or unknown environmental risks.
5. Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects.		

<b>Yes</b>	<b>No</b> ✓	<b>Rationale:</b> Granting of this access road ROW to Utah County would be the same or similar to other ROWs granted to local government entities and would not set a precedent for future actions or commit BLM to any other future actions.
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		
<b>Yes</b>	<b>No</b> ✓	<b>Rationale:</b> This existing road is currently used for access to the area known as The Knolls on public land for a variety of recreational uses and for access across private land to the shore of Utah Lake. Granting of a ROW to Utah County for improvement and maintenance of the existing road would improve access into the area, make the road safer to use and would help reduce trespass on private land along the shore of Utah Lake. The Utah Division of Wildlife Resources is planning to construct a boat ramp at the end of this road to create a single point of access to the lake for boat launching and to help eliminate trespass on adjacent private land. Neither of these actions, individually or cumulatively would be expected to have significant environmental effects.
7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.		
<b>Yes</b>	<b>No</b> ✓	<b>Rationale:</b> Two separate historic property inventories were conducted for the current project, delineated by BLM and private land. A class I and III inventory was conducted on October 3 through November 4 of 2011 for BLM property overlapping the current projects' APE (area of potential effect). SHPO concurred with the 2011 projects' determination of eligibility and effect on February 2, 2012. Based on the 2011 inventory, which overlaps the current projects APE, the BLM has determined that the current project will have No Historic Properties Affected. On June 11, and June 25, 2014, a class III cultural resource inventory was conducted on the private portion of the current APE, with a recommendation of No Historic Properties Affected. SHPO concurrence was received for this determination was received on August 24, 2014. Refer also to item 11.
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.		
<b>Yes</b>	<b>No</b> ✓	<b>Rationale:</b> Listed flora or fauna species or their designated critical habitats are not present within the project area. The June Sucker, a fish species indigenous to Utah Lake, is the only T&E species in the project area. BLM has made a finding that granting the access road ROW to Utah County and the installation of the boat ramp by DWR would be not likely to adversely affect June Sucker. BLM has conducted informal consultation with the Fish and Wildlife Service and they concurred with this finding on September 14, 2015.
9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		



<b>Yes</b>	<b>No</b> ✓	<b>Rationale:</b> The proposed access road ROW would not violate any Federal, State, local or tribal law or requirement regarding protection of the environment.
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		
<b>Yes</b>	<b>No</b> ✓	<b>Rationale:</b> All populations would have equal access to using this boat ramp. Title VI of the Civil Rights Act and Executive Order 12898 (“Environmental Justice”) require federal agencies to identify and address “disproportionately high and adverse human health or environmental effects of its programs, policies and activities on minority populations and low-income populations.” In accordance with CEQ Environmental Justice Guidelines, minority populations should be identified and effects to them analyzed, if either of the following two conditions apply: (1) of those likely to be affected by the Proposed Action, 50% or more would be part of the minority populations, and (2) within the project area, the minority population percentage is greater than the minority population percentage outside the project area or in the general population. Neither of these conditions applies to the project area for this effort. Therefore, implementation and potential environmental consequences of the action considered would not disproportionately affect any specific group of people (including any racial, ethnic, or socioeconomic group).
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).		
<b>Yes</b>	<b>No</b> ✓	<b>Rationale:</b> The project is not expected to limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or adversely affect the physical integrity of such sacred sites. There are no known ceremonial lands or sacred sites within the proposed project area. Consultation letters were sent to the following Tribes: Jemez Pueblo, Confederated Tribes of the Goshute Reservation, Skull Valley Band of the Goshute Tribe, Paiute Tribe, and Ute Indian Tribe on December 3, 2015. These tribes did not identify any Indian sacred sites on Federal lands in the project area. Refer also to item 7.
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).		
<b>Yes</b>	<b>No</b> ✓	<b>Rationale:</b> General surface disturbance related to any type of construction including roads and boat ramps makes the site susceptible to invasive weeds and non-native species. This would not be a problem in this instance as both Utah County and DWR have active programs to control the introduction, continued existence or spread of these problem species. Utah Lake is susceptible to aquatic invasive species which can be spread through boats. UDWR has an active program to control the spread of AIS so this would not

		<p>be a problem. The SLFO's current weed control measures would continue and these remain consistent with the requirements contained in Appendix B, Herbicide Use Standard Operating Procedures of the Record of Decision for the Final Vegetation Treatments Using Herbicides Programmatic Environmental Impact Statement (September 2007) and the Decision Record for the Salt Lake District Weed Management Plan environmental assessment (UT-020-96-24). A pesticide use proposal would be submitted and approved by the UTSO prior to any herbicide applications.</p>
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